

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MIGUEL NUALLA HERNANDEZ,	)	1:05-cv-00347-REC-DLB-HC
	)	
Petitioner,	)	<b>ORDER ADOPTING FINDINGS AND</b>
	)	<b>RECOMMENDATIONS</b> (Doc. 10)
v.	)	
	)	<b>ORDER DISMISSING ACTION</b>
ATTORNEY GENERAL JOHN	)	
ASHCROFT,	)	
	)	
Respondent.	)	
_____	)	

Petitioner is detained by the Bureau of Immigration and Customs Enforcement, and is proceeding pro se with a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

On May 26, 2005, the Magistrate Judge filed Findings and Recommendations that this action be dismissed for Petitioner's failure to prosecute. These Findings and Recommendations were served on all parties and contained notice that any objections were to be filed within thirty (30) days from the date of service of that order. To date, the parties have not filed timely objections to the Findings and Recommendations.<sup>1</sup>

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<sup>1</sup> The United States Postal Service returned the order served on petitioner on June 2, 2005, as undeliverable. A notation on the envelope indicated: Return to Sender - Not in Custody. However, petitioner has not notified the court of any change in his address. Absent such notice, service at a party's prior address is fully effective. See Local Rule 83-182(d).

1 In accordance with the provisions of 28 U.S.C. § 636  
2 (b) (1) (C), this Court has conducted a *de novo* review of the case.  
3 Having carefully reviewed the entire file, the Court concludes that  
4 the Magistrate Judge's Findings and Recommendations are supported  
5 by the record and proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendations, filed May 26, 2005, are  
8 ADOPTED IN FULL; and,

9 2. This action is DISMISSED for Petitioner's failure to  
10 prosecute.

11 IT IS SO ORDERED.

12 **Dated: July 14, 2005**  
668554

**/s/ Robert E. Coyle**  
UNITED STATES DISTRICT JUDGE